

ASSEMBLY BILL

No. 2705

Introduced by Assembly Member Williams

February 21, 2014

An act to amend Sections 87102, 87151, 87415, 87424, 87482.5, 87482.6, 87482.8, 87482.9, 87601, 87604, 87860, 87861, 87862, 87863, 87864, 87867, 87880, 87881, 87882, 87883, 87884, and 87885 of, to amend the headings of Article 9 (commencing with Section 87860) of, and Article 10 (commencing with Section 87880) of, Chapter 3 of Part 51 of Division 7 of Title 3 of, and to repeal Section 87482.4 of, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 2705, as introduced, Williams. Community colleges: faculty.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Under existing law, community college districts are authorized, among other things, to maintain and operate campuses, employ faculty and other employees, and provide instruction to students. Existing law provides for several classifications of community college faculty, including full-time, contract, and part-time faculty.

This bill would revise numerous statutes related to community college faculty to change references from “full-time” and “part-time” faculty to “regular” faculty, “contract” faculty, and “associate” faculty. The bill would also make nonsubstantive changes in these statutes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) The terms “part-time faculty” and “temporary faculty” do
4 not adequately describe the qualifications, contributions, and
5 importance of the community college faculty to whom those terms
6 have been applied.

7 (2) “Associate faculty” is a more accurate and useful term with
8 which to refer to these educators, who are so integral to the
9 successful functioning of community colleges in this state.

10 (3) There are inconsistencies in the Education Code with regard
11 to the definitions of community college faculty, and the Legislature
12 seeks to standardize the terms “regular faculty,” “contract faculty,”
13 and “associate faculty.”

14 (b) It is the intent of the Legislature, in enacting this act, to act
15 consistently with, and in no way to compromise or limit, the
16 holding of the Court of Appeals in the case of *Cervisi v.*
17 *Unemployment Insurance Appeals Board* (1989), 208 Cal.App.3d
18 635.

19 SEC. 2. Section 87102 of the Education Code is amended to
20 read:

21 87102. (a) As a condition for the receipt of funds pursuant to
22 Section 87107, the governing board of community college district
23 that opts to participate under the article shall periodically submit
24 to the board of governors an affirmation of compliance with this
25 article. Each participating district’s equal employment opportunity
26 program shall ensure participation in, and commitment to, the
27 program by district personnel. Each participating district’s equal
28 employment opportunity plan shall include steps that the district
29 will take in eliminating improper discrimination or preferences in
30 its hiring and employment practices. Each plan shall address how
31 the district will make progress in achieving the ratio of ~~full-time~~
32 ~~to part-time regular and contract faculty to associate faculty hiring,~~
33 as indicated in Section 87482.6, while still ensuring equal
34 employment opportunity.

35 (b) Each participating district’s equal employment opportunity
36 plan is a public record within the meaning of the California Public
37 Records Act (Chapter 3.5 (commencing with Section 6250) of
38 Division 7 of Title 1 of the Government Code).

SEC. 3. Section 87151 of the Education Code is amended to read:

87151. The Board of Governors of the California Community Colleges shall annually allocate funds appropriated for the purposes of this article to each community college district whose chief executive officer has submitted to the chancellor an affidavit ~~which~~ *that* includes:

(a) A statement that each campus within the *community college* district has an advisory committee, composed of administrators, *regular, contract, and associate* faculty, and staff representatives, which has assisted in the assessment of the faculty and staff development needs and in the design of the plan to meet those needs.

(b) A campus human development resources plan has been completed for the current and subsequent fiscal years.

(c) A report of the actual expenditures for *regular, contract, and associate* faculty and staff development for the preceding year.

SEC. 4. Section 87415 of the Education Code is amended to read:

87415. The following general provisions shall apply ~~regardless of~~ *irrespective of* the date of employment:

~~The~~

(a) *The* order once determined by lot shall be permanent, and shall be entered on the permanent records of the *community college* district.

~~Records~~

(b) *Records* showing date of employment, whether kept by the *community college* district or by the county, shall be accessible, on demand, to any academic employee of the district or to his or her designated representative.

~~In~~

(c) *In* the absence of records as to any of the matters referred to in the two preceding sections, ~~the board~~ *governing board of the community college district*, in accordance with evidence presented, shall determine the order of employment after giving employees a reasonable opportunity to present ~~such~~ *this* evidence.

~~The~~

(d) *The* governing board of every community college district shall establish the order of employment of all ~~contract or regular~~ *regular, contract, and associate* employees of the district in the

1 manner prescribed by Sections 87400 to 87424, inclusive, and
2 shall keep a roster of ~~same~~ *the order of employment* as a public
3 record.

4 ~~Whether~~

5 *(e) Whether* or not a roster is kept in other *community college*
6 districts, the order of employment in all *community college*
7 districts, when required, shall be determined as prescribed by
8 Sections 87400 to 87424, inclusive.

9 ~~The board~~

10 *(f) The governing board of a community college district* shall
11 have power, and it shall be its duty, to correct any errors discovered
12 from time to time in its records showing the order of employment.

13 SEC. 5. Section 87424 of the Education Code is amended to
14 read:

15 87424. *(a) If* ~~the a regular, contract, or associate~~ employee
16 from ~~the a community college~~ district within the state who serves
17 as an exchange instructor ~~without outside of~~ the state and the
18 governing board regularly employing him or her so agree, the
19 district may pay his or her regular salary, making all deductions
20 provided by law for retirement purposes, during the period of the
21 exchange teaching. ~~In such case, the~~ *this situation, the community*
22 *college* district shall not pay the salary of the exchange employee
23 from ~~without outside of~~ the state, serving the district in exchange
24 for its regular instructor.

25 ~~(b) In the event an~~

26 *(b) If a regular, contract, or associate* employee from a
27 *community college* district within this state serving as an exchange
28 instructor ~~without outside of~~ the state ~~and~~, to whom the governing
29 board of ~~such that~~ district is paying the regular salary of ~~such that~~
30 instructor as herein provided, is compelled to absent himself or
31 herself from his or her duties because of injury, illness, or
32 quarantine, the governing board of the *community college* district
33 within this state may pay the substitute employed to take the place
34 of ~~such that~~ instructor and shall deduct the amount ~~so paid~~ *paid*
35 to the substitute from the compensation of the employee.

36 SEC. 6. Section 87482.4 of the Education Code is repealed.

37 ~~87482.4. (a) The Legislature finds and declares that, in the~~
38 ~~state's community college system, teaching constitutes a greater~~
39 ~~share of the faculty workload, as compared to the California State~~
40 ~~University or the University of California systems. California's~~

1 community college system requires that a faculty member hold,
2 as a basic qualification, a master's degree. Furthermore, the
3 community college system uses a different professional review
4 process, as compared to the California State University or the
5 University of California systems.

6 (b) The California Postsecondary Education Commission shall
7 conduct a comprehensive study of the California Community
8 College system's associate faculty employment, salary, and
9 compensation patterns as they relate to full-time community college
10 faculty with similar education credentials and work experience.
11 The study shall include a representative sample of urban, rural,
12 and suburban community colleges in California, and shall also
13 refer to similarly situated community colleges in other states.

14 (c) The study specified in subdivision (b) shall include, but not
15 necessarily be limited to, the addressing of policy options available
16 to achieve pay equity between community college associate faculty
17 and full-time faculty, and shall also include both of the following:

18 (1) A quantitative analysis examining duties and tasks of
19 associate faculty as compared to full-time faculty. The duties and
20 tasks examined shall include classroom teaching, preparation,
21 office hours, recordkeeping, student evaluations, recommendations,
22 and other professional practices that compare the similarities and
23 differences between an associate and a full-time faculty position.
24 This quantitative analysis shall also include both of the following:

25 (A) An examination of whether associate faculty salaries vary
26 significantly among community colleges and the factors that are
27 associated with any salary differential.

28 (B) Data concerning the salary compensation pattern for
29 associate community college faculty in California and in similarly
30 situated community colleges in other states, and the disparity
31 between part-time and full-time compensation for the equivalent
32 education and experience.

33 (2) An identification of specific policy and fiscal
34 recommendations that would enable the California Community
35 Colleges to achieve a compensation schedule that achieves pay
36 equity for associate faculty.

37 (d) The California Postsecondary Education Commission shall,
38 in conducting the study required by this section, consult various
39 representatives of the education community, including the Board

1 of Governors of the California Community Colleges, community
2 college faculty groups, and other interested parties.

3 ~~(e) Notwithstanding Section 7550.5 of the Government Code,~~
4 ~~the California Postsecondary Education Commission shall release~~
5 ~~the preliminary findings of the study required by this section to~~
6 ~~the Legislature and the Governor, on or before March 31, 2000,~~
7 ~~and shall transmit the study to the Legislature and the Governor~~
8 ~~on or before July 1, 2000.~~

9 ~~(f) It is the intent of the Legislature that funding for conducting~~
10 ~~the study required by this section shall be made available through~~
11 ~~an appropriation, either in future legislation or in the annual Budget~~
12 ~~Act, in an amount of up to one hundred fifty thousand dollars~~
13 ~~(\$150,000).~~

14 SEC. 7. Section 87482.5 of the Education Code is amended to
15 read:

16 87482.5. (a) Notwithstanding any other law, a person who is
17 employed to teach adult or community college classes for not more
18 than 67 percent of the hours per week considered a full-time
19 assignment for regular employees having comparable duties shall
20 be classified as ~~a temporary~~ *an associate* employee, and shall not
21 become a contract employee under Section 87604. If the provisions
22 of this section are in conflict with the terms of a collective
23 bargaining agreement in effect on or before January 1, 2009, the
24 provisions of this section shall govern the employees subject to
25 that agreement upon the expiration of the agreement.

26 (b) Service as a substitute on a day-to-day basis by persons
27 employed under this section shall not be used for purposes of
28 calculating eligibility for contract or regular status.

29 (c) (1) Service in professional ancillary activities by persons
30 employed under this section, including, but not necessarily limited
31 to, governance, staff development, grant writing, and advising
32 student organizations, shall not be used for purposes of calculating
33 eligibility for contract or regular status unless otherwise provided
34 for in a collective bargaining agreement applicable to a person
35 employed under this section.

36 (2) This subdivision may not be construed to affect the
37 requirements of subdivision (d) of Section 84362.

38 SEC. 8. Section 87482.6 of the Education Code is amended to
39 read:

1 87482.6. (a) Until the provisions of Section ~~84750~~ 84750.5
2 regarding program-based funding are implemented by a standard
3 adopted by the board of governors that establishes the appropriate
4 percentage of hours of credit instruction that should be taught by
5 ~~full-time regular or contract~~ instructors, the Legislature wishes
6 to recognize and make efforts to address longstanding policy of
7 the board of governors that at least 75 percent of the hours of credit
8 instruction in the California Community Colleges, as a system,
9 should be taught by ~~full-time regular or contract~~ instructors. To
10 this end, community college districts ~~which~~ *that* have less than 75
11 percent of their hours of credit instruction taught by ~~full-time~~
12 ~~regular or contract~~ instructors shall apply a portion of the program
13 improvement allocation received pursuant to Section 84755 as
14 follows:

15 (1) ~~Districts which~~, *Community college districts that*, in the
16 prior fiscal year, had between 67 percent and 75 percent of their
17 hours of credit instruction taught by ~~full-time regular or contract~~
18 instructors shall apply up to 33 percent of their program
19 improvement allocation as necessary to reach the 75 percent
20 standard. If a district in this category chooses instead not to
21 improve its percentage, the board of governors shall withhold 33
22 percent of the district's program improvement allocation.

23 (2) ~~Districts which~~, *Community college districts that*, in the
24 prior fiscal year, had less than 67 percent of their hours of credit
25 instruction taught by ~~full-time regular or contract~~ instructors shall
26 apply up to 40 percent of their program improvement allocation
27 as necessary to reach the 75 percent standard. If a district in this
28 category chooses instead not to improve its percentage, the board
29 of governors shall withhold 40 percent of the district's program
30 improvement allocation.

31 ~~Districts which~~

32 (3) *Community college districts that* maintain 75 percent or
33 more of their hours of credit instruction taught by ~~full-time regular~~
34 ~~or contract~~ instructors shall otherwise be free to use their program
35 improvement allocation for any of the purposes specified in Section
36 84755.

37 (b) The board of governors shall adopt regulations for the
38 effective administration of this section. Unless and until amended
39 by the board of governors, the regulations shall provide as follows:

(1) In computing the percentage of hours of credit instruction taught by ~~full-time regular or contract~~ instructors, the hours of overload teaching by ~~full-time regular or contract~~ instructors shall be excluded from both the total hours of credit instruction taught by ~~full-time and part-time regular, contract, or associate~~ instructors and the total hours of instruction taught by ~~full-time regular and contract~~ instructors.

(2) ~~A full-time instructor shall be defined as any regular and contract faculty member teaching credit instruction.~~

(3)

(2) (A) The chancellor shall compute and report to each community college district the number of ~~full-time faculty (FTF)~~ ~~which are regular and contract faculty~~ to be secured through the use of the prescribed portion of program improvement revenue allocated to each district. This computation shall be made by dividing the applicable portion of program improvement revenue (0 percent, 33 percent, or 40 percent of the program improvement allocation), by the statewide average “replacement cost” (a figure which represents the statewide average faculty salary plus benefits, minus the statewide average hourly rate of compensation for ~~part-time associate~~ instructors times the statewide average full-time teaching load). If the quotient is not a whole number, then the quotient shall be rounded down to the nearest whole number. If this quotient, once applied, will result in the district exceeding the 75 percent standard, the chancellor shall further reduce the quotient to a whole number that will leave the district as close as possible to, but in excess of, the 75 percent standard.

~~By March 15th~~

(B) By March 15 of each year, the chancellor shall report to each *community college* district an estimate of the number of ~~FTF regular and contract faculty~~ to be secured based upon the appropriation of revenues contained in the annual Budget Bill.

(4)

(3) On or before December 31, 1991, the chancellor shall determine the extent to which each *community college* district, by September 30, 1991, has hired the number of ~~FTF regular and contract faculty~~ determined pursuant to paragraph (3) for the 1989–90 and 1990–91 fiscal years. To the extent that the cumulative number of ~~FTF regular and contract faculty~~ have not been retained, the chancellor shall reduce the *community college*

1 district's base budget for 1991–92 and subsequent fiscal years by
2 an amount equivalent to the average replacement cost times the
3 deficiency in the number of ~~FTF~~ *regular and contract faculty*.

4 SEC. 9. Section 87482.8 of the Education Code is amended to
5 read:

6 87482.8. Whenever possible:

7 (a) ~~Part-time~~ *Associate* faculty should be informed of
8 assignments at least six weeks in advance.

9 (b) ~~Part-time~~ *Associate* faculty should be paid for the first week
10 of an assignment when class is cancelled less than two weeks
11 before the beginning of a semester. If a class meets more than once
12 per week, ~~part-time~~ *associate* faculty should be paid for all classes
13 that were scheduled for that week.

14 (c) The names of ~~part-time~~ *associate* faculty should be listed in
15 the schedule of classes rather than just described as “staff.”

16 (d) ~~Part-time~~ *Associate* faculty should be considered to be an
17 integral part of their departments and given all the rights normally
18 afforded to full-time faculty in the areas of book selection,
19 participation in department activities, and the use of college
20 resources, including, but not necessarily limited to, telephones,
21 copy machines, supplies, office space, mail boxes, clerical staff,
22 library, and professional development.

23 SEC. 10. Section 87482.9 of the Education Code is amended
24 to read:

25 87482.9. This section applies only to ~~temporary and part-time~~
26 *associate* faculty within the meaning of Section 87482.5. The issue
27 of earning and retaining of annual reappointment rights shall be a
28 mandatory subject of negotiation with respect to the collective
29 bargaining process relating to any new or successor contract
30 between community college districts and ~~temporary or part-time~~
31 *associate* faculty occurring on or after January 1, 2002.

32 SEC. 11. Section 87601 of the Education Code is amended to
33 read:

34 87601. For the purposes of this article:

35 (a) “Academic year” means that period between the first day of
36 a fall semester or quarter and the last day of the following spring
37 semester or quarter, excluding any intersession term that has been
38 excluded pursuant to an applicable collective bargaining agreement.

39 (b) “Associate employee” means an employee of a district who
40 is employed in accordance with Section 87604.

1 ~~(b)~~

2 (c) “Contract employee” means an employee of a district who
3 is employed on the basis of a contract in accordance with Section
4 87605, subdivision (b) of Section 87608, or subdivision (b) of
5 Section 87608.5.

6 ~~(e)~~

7 (d) “District” means a community college district.

8 ~~(d)~~

9 (e) “Positions requiring certification qualifications” are those
10 positions which provide the services for which certifications have
11 been established in this code.

12 ~~(e)~~

13 (f) “Regular employee” means an employee of a district who is
14 employed in accordance with subdivision (c) of Section 87608,
15 subdivision (c) of Section 87608.5, or Section 87609.

16 SEC. 12. Section 87604 of the Education Code is amended to
17 read:

18 87604. The governing board of a community college district
19 shall employ each academic employee as a contract employee,
20 regular employee, or ~~temporary~~ *associate* employee.

21 SEC. 13. The heading of Article 9 (commencing with Section
22 87860) of Chapter 3 of Part 51 of Division 7 of Title 3 of the
23 Education Code is amended to read:

24
25 Article 9. ~~Part-Time~~ Community College *Associate* Faculty
26 Health Insurance Program
27

28 SEC. 14. Section 87860 of the Education Code is amended to
29 read:

30 87860. It is the intent of the Legislature that ~~part-time~~
31 community college *associate* faculty and their eligible dependents
32 have continuous access to health insurance benefits.

33 SEC. 15. Section 87861 of the Education Code is amended to
34 read:

35 87861. For the purposes of this article:

36 ~~(a) “Health insurance benefits” include medical benefits but do~~
37 ~~not include vision or dental benefits.~~

38 ~~(b) “Part-time~~

1 (a) “Associate faculty” refers to any faculty member whose
2 teaching assignment equals or exceeds 40 percent of the cumulative
3 equivalent of a minimum full-time teaching assignment.

4 (b) “Health insurance benefits” include medical benefits, but
5 do not include vision or dental benefits.

6 (c) The changes made to subdivision (b) during the 1999 portion
7 of the 1999–2000 Regular Session of the Legislature shall be
8 operative in any fiscal year only if funds are appropriated for
9 purposes of those changes in the annual Budget Act or in another
10 measure. If the amount appropriated in the annual Budget Act or
11 in another measure for purposes of this section is insufficient to
12 fully fund those changes for the fiscal year, the chancellor shall
13 prorate the funds among the community college districts affected
14 by this section.

15 SEC. 16. Section 87862 of the Education Code is amended to
16 read:

17 87862. The governing board of a community college district
18 may provide a program of health insurance for ~~part-time~~ *associate*
19 faculty and their dependents.

20 SEC. 17. Section 87863 of the Education Code is amended to
21 read:

22 87863. (a) ~~A part-time~~ *An associate* faculty member and his
23 or her eligible dependents are eligible to participate in the program
24 established pursuant to this article.

25 (b) The changes made to subdivision (a) during the 1999 portion
26 of the 1999–2000 Regular Session of the Legislature shall be
27 operative in any fiscal year only if funds are appropriated for
28 purposes of those changes in the annual Budget Act or in another
29 measure. If the amount appropriated in the annual Budget Act or
30 in another measure for purposes of this section is insufficient to
31 fully fund those changes for the fiscal year, the chancellor shall
32 prorate the funds among the community college districts affected
33 by this section.

34 (c) Any changes made pursuant to this section to the ~~Part-time~~
35 Community College *Associate* Faculty Health Insurance Program
36 shall not affect any ~~part-time~~ *associate* health insurance program
37 in effect on January 1, 2000.

38 SEC. 18. Section 87864 of the Education Code is amended to
39 read:

1 87864. No ~~part-time~~ *associate* faculty member or dependents
2 whose premiums for health insurance are paid by an employer
3 other than a community college district is eligible to participate in
4 the program established pursuant to this article.

5 SEC. 19. Section 87867 of the Education Code is amended to
6 read:

7 87867. By June 15 of each year, the Chancellor of the
8 California Community Colleges shall apportion to each community
9 college district that establishes a program pursuant to this article
10 an amount that equals up to one-half of the total cost of the
11 individual enrollment premiums required to be paid for the health
12 insurance coverage of participating ~~part-time~~ *associate* faculty and
13 their dependents in the district. The chancellor shall distribute
14 funds that have been appropriated specifically for this purpose
15 proportionally based on each *community college* district's total
16 costs for premiums for those *community college* districts that
17 submit verification of the costs of premiums for eligible employees
18 for a fiscal year, but in no event shall the allocation to any
19 *community college* district exceed one-half of the cost of the
20 verified premiums. If funds appropriated for this purpose exceed
21 one-half of the verified cost of premiums for all participating
22 *community college* districts statewide, the balance that exceeds
23 that amount shall revert to the General Fund annually.

24 SEC. 20. The heading of Article 10 (commencing with Section
25 87880) of Chapter 3 of Part 51 of Division 7 of Title 3 of the
26 Education Code is amended to read:

27
28 Article 10. Community College ~~Part-Time~~ *Associate* Faculty
29 Office Hours Program
30

31 SEC. 21. Section 87880 of the Education Code is amended to
32 read:

33 87880. The Legislature finds and declares that community
34 college ~~part-time~~ *associate* faculty are required to fulfill the same
35 teaching responsibilities as ~~full-time~~ *regular and contract* faculty
36 although students have little or no access to ~~part-time~~ *associate*
37 faculty members outside of the classroom. It is the intent of the
38 Legislature that students have the same opportunity for academic
39 assistance and guidance without regard to whether a course at a
40 community college is taught by a ~~full-time or a part-time~~ *regular*,

1 *contract, or associate* faculty member. It is the further intent of
2 the Legislature that community college ~~part-time~~ *associate* faculty
3 teaching a minimum number of courses be compensated for
4 providing academic counseling and assistance to students outside
5 of the classroom.

6 SEC. 22. Section 87881 of the Education Code is amended to
7 read:

8 87881. There is hereby established the Community College
9 ~~Part-Time Associate~~ Faculty Office Hours Program for the purpose
10 of providing community college students equal access to academic
11 advice and assistance and to encourage community college districts
12 to provide opportunities by compensating ~~part-time~~ *associate*
13 faculty who hold office hours related to their teaching load.

14 SEC. 23. Section 87882 of the Education Code is amended to
15 read:

16 87882. For purposes of this article, ~~“part-time”~~ *“associate*
17 *faculty”* means any person who is employed to teach for not more
18 than the hours per week described in Section 87482.5.

19 SEC. 24. Section 87883 of the Education Code is amended to
20 read:

21 87883. (a) The governing board of a community college district
22 may provide compensation for office hours to ~~part-time~~ *associate*
23 faculty.

24 (b) The compensation paid to ~~part-time~~ *associate* faculty under
25 this article shall equal at least one paid office hour for every two
26 classes or more taught each week or 40 percent of a full-time load
27 as defined by the community college district.

28 (c) Nothing in this section precludes compensation under this
29 program for paid office time for each 20 percent of a full-time
30 load, or fraction thereof, as defined by the community college
31 district.

32 (d) The change made to subdivision (c) during the 1999 portion
33 of the 1999–2000 Regular Session of the Legislature shall be
34 operative in any fiscal year only if funds are appropriated for
35 purposes of that change in the annual Budget Act or in another
36 measure. If the amount appropriated in the annual Budget Act or
37 in another measure for purposes of this section is insufficient to
38 fully fund that change for the fiscal year, the chancellor shall
39 prorate the funds among the community college districts affected
40 by this section.

1 SEC. 25. Section 87884 of the Education Code is amended to
2 read:

3 87884. (a) The governing board of each community college
4 district that establishes a program pursuant to this article shall
5 negotiate with the exclusive bargaining representative, or in
6 instances where there is no bargaining unit shall meet and confer
7 with the faculty, to establish a program to provide ~~part-time~~
8 *associate* faculty office hours.

9 (b) Any hours negotiated under this program shall not be applied
10 toward the maximum percentage-of-hours limitation for ~~part-time~~
11 *associate* faculty as specified in Section 87882. These hours shall
12 not be counted towards the hours per week of teaching adult or
13 community college classes for purposes of acquiring eligibility
14 for tenure or for purposes of fulfilling any probationary hour
15 requirements.

16 (c) On or before June 1 of each year, each community college
17 district participating in the program shall send a verification to the
18 Chancellor of the California Community Colleges specifying the
19 total costs of the compensation paid for office hours of ~~part-time~~
20 *associate* faculty participating in the program.

21 (d) Any changes made by this section to the Community College
22 ~~Part-Time Associate~~ Faculty Office Hours Program shall not affect
23 any ~~part-time~~ *associate* faculty office hours program in effect on
24 January 1, 2000.

25 SEC. 26. Section 87885 of the Education Code is amended to
26 read:

27 87885. (a) The ~~Part-Time Associate~~ Faculty Office Hours
28 Program Fund is hereby established in the State Treasury *as a*
29 *continuation of the Part-Time Faculty Office Hours Program Fund*
30 *established by this section.*

31 (b) On or before June 15 of each year, the Chancellor of the
32 California Community Colleges shall apportion to each community
33 college district that establishes a program pursuant to this article
34 an amount of up to 50 percent of the total costs of compensation
35 paid for office hours of ~~part-time~~ *associate* faculty, as defined in
36 Section 87882. The chancellor shall distribute funds that are
37 appropriated in the annual Budget Act specifically for this purpose
38 proportionally based on each *community college* district's total
39 costs for office hours of ~~part-time~~ *associate* faculty pursuant to
40 the verification submitted by the community college district in

1 accordance with subdivision (c) of Section 87884 for that fiscal
2 year. In no event, however, shall the allocation to any district in a
3 fiscal year exceed 50 percent of the total costs of the compensation
4 paid for office hours of ~~part-time~~ *associate* faculty pursuant to this
5 article.

6 (c) It is the intent of the Legislature that funding for the purposes
7 of this article be included in the annual Budget Act.

O